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REMARKS

Claims 1-20 are currently pending in the patent application. The Examiner has rejected Claims 1-13 and 15-20 under 35 USC 102(a) as anticipated by Gabber, et al; and, Claim 14 under 35 USC 103 as being unpatentable over the teachings of Gabber in view of Draves. For the reasons set forth below, Applicants respectfully assert that all of the pending claims are patentable over the cited prior art.

The Gabber patent is directed to a system and method for allowing a user to anonymously browse server sites. The user is assigned a substitute identifier and contact is made to server sites through the proxy server using the substitute identifier. Since a substitute identifier can only be tracked back to the proxy server, the server sites are not able to obtain user-specific contact information. Gabber also provides for the proxy server to save the substitute identifier information for future contact between the user and a particular server site, so that the server site will "recognize" the user's substitute identifier in order to offer personalized service.

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Gabber describes three routines which are used in the system and method (Col. 5, line 66-Col. 6, line 12). A first routine is used for creating or choosing a substitute identifier for the user based on user information, and optionally also on information about the target server site. The first routine may be executed at the user site or at the proxy server. The second routine communicates the substitute identifier from the proxy server to the server site and transmits browsing commands between the user site and the server site. The third routine strips user browsing commands, which pass through the proxy server, of any identifying information which could potentially help the server site to identify or locate the user.

The Examiner has concluded that the Gabber patent anticipates the present invention as claimed. The Examiner has concluded that Gabber's teaching of a user sending user-specific information to a proxy server is the same as transferring common data from a first source entity to be stored at a second entity. Applicants first note that the user in Gabber is not transferring data for storage and for subsequent processing at the second entity. Rather, the user is sending a request to browse a server site. The

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request may be accompanied by user-specific information which will be used by the proxy server to generate or select a substitute identifier. The Gabber user is not transferring data to be stored. In fact, the Gabber user would prefer that the user-specific data not be stored at the proxy server, in order to further insulate the user from being identified by a server site (see: Col. 7, lines 39-44).

Applicants next note that the Gabber data is not being provided for processing by more than one of a plurality of different service applications. The three routines of Gabber are not the same as or suggestive of three different service applications which operate on the same data. The first Gabber routine "operates" on user-specific data to generate a substitute identifier. Applicants note that Gabber expressly teaches that this routine can be executed at the user location (see: Col. 6, lines 24-27 and lines 44-51) or at the proxy server. The second routine "operates" on the data handle and the URL of the server site insofar as it communicates the data handle to the server site. The third routine operates on browser commands received from the user in order to remove user-identifying

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information from the commands. It is clear that the three Gabber routines are operating on three different sets of data: first, user-specific data; second, substitute identifier data; and third, user browsing commands. Clearly, Gabber is not teaching or suggesting that common data be transferred by a user to a proxy server so that the common data can be operated on by more than one different service application at the second proxy server, as is explicitly claimed.

Applicants request that the Examiner clarify which set of data is being analogized to the claimed "common data" since Gabber teaches different operations on different sets of data. Regardless of whether the "common data" is the user-specific data or the substitute identifier data, however, it is clear that neither set of data is being stored for processing by more than one different application.

Applicants also disagree with the Examiner's conclusion that Gabber anticipates the step of storing common data at the second entity. Again, Applicants are unsure of whether the Examiner is referring to user-specific information or substitute identifier information. While Gabber does teach

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at Col. 7, lines 25-38 that the proxy server may store secret information and aliases, it is clear that Gabber is not intending to store directly-identifiable user information, which could be accessed by the server sites. Moreover, Gabber expressly teaches a more advantageous embodiment, from Col. 7, lines 39-46, wherein the user site creates the substitute identifiers so that "there is no permanent secret information stored on the proxy system." In that case, the proxy server does store the substitute identifier for future communications between the user location and the server site. However, that data is not to be stored for processing by more than one different service application.

Applicants next disagree with the Examiner's conclusion that the Gabber patent anticipates the step of associating a data handle to the stored data, wherein said first and said second entity are each aware of the handle. In the Gabber embodiment wherein the proxy server creates or selects a substitute identifier, the user-specific "common data" is not necessarily stored data. Moreover, the user location does not become aware of the substitute identifier which has been created for it. Furthermore, in the Gabber embodiment

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wherein the user supplies the substitute identifier, wherein the user supplies the substitute identifier, user-specific common data is clearly not stored at the user-specific common data is clearly not stored at the second entity, since it is not even transferred to the second entity.

Finally, Applicants contend that the Gabber patent does not anticipate the claimed step of invoking service on the common data by using the substitute identifier and invocation-specific data for processing by the different service applications. As discussed above, the three routines in Gabber all operate on different data; they do not perform services on common data. Further, even when Gabber does access both the substitute identifier and the URL, for the second routine of transferring the substitute identifier to the server site, the two sets of data are not being used to invoke service on other "common data". No service is being performed on user-specific data based on use of the substitute identifier and the URL.

For a patent to anticipate another invention under 35 USC § 102(e), the patent must clearly teach each and every claimed feature of the anticipated invention. Since the Gabber patent clearly does not teach the transferring of common data from a first source entity for storage at a

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second entity, does not teach storing common data as stored data at the second entity, does not teach associating a data handle to stored common data where each entity is aware of the handle, and does not teach invoking services on common data using the handle, it cannot be maintained that the Gabber patent anticipates each and every claim feature recited in independent claims 1, 15 and 20. Further, a reference which does not anticipate an independent claim, cannot be said to anticipate a dependent claims which depends therefrom and adds limitations thereto. Accordingly, Applicants respectfully request withdrawal of the anticipation rejections of Claims 1-13 and 15-20 based on the Gabber patent.

Applicants also note, with regard to Claim 3 wherein said transferring and said invoking are done simultaneously and wherein said method further comprises invoking at least one successive service on said data by using said data handle after said storing and associating steps, that if Gabber were to perform transferring of user-specific information from a user site to the proxy server simultaneously with invoking a first service to contact the server site, it would render the Gabber system unworkable.

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Since user-specific information would be available to the server site based on the simultaneous transferring and invoking before the proxy server could create or select a substitute identifier for the user, then the intended anonymity could not possibly be preserved. Gabber does not teach that the two steps be done simultaneously and cannot logically be modified to perform the two steps simultaneously since such modification would render it unworkable for its intended purpose. Accordingly, it cannot be maintained that Gabber either anticipates or obviates the claim language.

Finally, the Examiner has rejected Claim 14 based on a combination of Gabber and Draves. Claim 14 recites that the second entity comprises a kernel and the service is provided by the second entity. While the Draves patent does teach that a kernel of an operating system maintains a resource table, the combination of Gabber and Draves does not obviate the claimed invention. Draves does not teach the aspects which are missing from the Gabber patent (i.e., the transferring of common data from a first source entity for storage at a second entity, associating a handle to the stored data where each entity is aware of the handle,

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invoking a service on the stored common data by processing by at least one service application using the handle). Further, simply combining Gabber and Draves would result in a Gabber system with a kernel of an operating system at the proxy server. It would not, however, result in a system wherein a service is provided by that kernel on stored data, since neither Draves nor Gabber transfers and stores the common data on which multiple different services are to be invoked, creates a handle for the common data, or invokes services on stored common data using the data handle. Accordingly, Applicants conclude that the claim language is not obviated.

Based on the foregoing amendments and remarks, Applicants respectfully request entry of the amendments, reconsideration of the claim language, withdrawal of the rejections, and allowance of the claims.

Respectfully submitted,

M. H. Kalantar, et al

By:

Anne Vachon Dougherty  
Anne Vachon Dougherty  
Registration No. 30,374  
Tel. (914) 962-5910

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